IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 623 of 1996

Between:

1 Adapa Ranga Rao s/o. Late Adapa Laxmaiah
r/o. Pathanaguluru village, Reddygudem Mandal, Krishna District.
2 Adapa Panakala Rao s/o. Late Adapa Laxmaiah
r/o. Pathanaguluru village, Reddygudem Mandal, Krishna District.
3 Adapa Satyanarayana s/o. Late Adapa Laxmaiah
r/o. Pathanaguluru village, Reddygudem Mandal, Krishna District.

..... PETITIONER(S)

AND

1 The District Collector,
Krishna District, at Machilipatnam.
2 The Revenue Divisional Officer,
Nuzividu, Krishna District.
3 The Mandal Revenue Officer,
Reddygudem Mandal, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the action of the respondents in attempting to acquire the land on which there is a standing mango garden in R.S.No.125/1 admeasuring about Ac.1.50 cents of Pathanaguluru village, Reddygudem Mandal, Krishna District, by issuing an appropriate Writ order or direction declaring the same as illegal, unconstitutional and violative of principles of natural justice.

Counsel for the Petitioner: MR.T.JAGADISH

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Writ of Mandamus to declare the action of the respondents in proposing to acquire the land belonging to the petitioners in an extent of Ac.1-50 cents in R.S.No.125/1 of Pathanguluru village, Reddygudem Mandal, Krishna District, as illegal and arbitrary.

In the counter affidavit filed on behalf of the respondents, it is stated that subsequent to the filing of the writ petition, some other land adjacent to the land in question was acquired for the public purpose and it is categorically stated that the land of the petitioners is no longer required for providing house sites to the weaker sections. It is further stated that steps are being taken to de-notify the land belonging to the petitioners as required under Section 48(1) of the Land Acquisition Act 1894.

Recording the said statement of the respondents in the counter affidavit, this writ petition is closed. It is open for the respondents to proceed to de-notify the land in question.

_____

27-1-2005

asp

To:

1 The District Collector,
Krishna District, at Machilipatnam.
2 The Revenue Divisional Officer,
Nuzividu, Krishna District.
3 The Mandal Revenue Officer,
Reddygudem Mandal, Krishna District.

4. Two C.Cs. to G.P. for Land Acquisition, High Court of A.P. (OUT)

5. Two C.D. copies